

Falls Church, Virginia 22041

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File: D2017-0276

Date: **OCT 29 2018**

In re: Phillip J. BRUTUS, Attorney

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

ON BEHALF OF EOIR: Paul A. Rodrigues, Acting Disciplinary Counsel

ON BEHALF OF DHS: Catherine M. O'Connell, Disciplinary Counsel

The respondent, who has been suspended from practice before the Board of Immigration Appeals, the Immigration Courts, and the Department of Homeland Security (DHS) for 1 year, effective June 5, 2017, has sought reinstatement to practice. The Acting Disciplinary Counsel for the Executive Office for Immigration Review (Acting Disciplinary Counsel for EOIR) does not oppose the respondent's motion for reinstatement. The respondent's motion for reinstatement will be granted.

On May 4, 2017, the Supreme Court of Florida issued an order suspending the respondent from the practice of law in that state for 1 year, effective June 3, 2017. On June 29, 2017, the Disciplinary Counsel for EOIR petitioned for the respondent's immediate suspension from practice before the Board of Immigration Appeals and the Immigration Courts. The DHS then asked that the respondent be similarly suspended from practice before that agency. We granted the petition on August 1, 2017.

The respondent did not file a timely answer to the allegations contained in the Notice of Intent to Discipline and did not dispute the allegations in the Notice. Given the respondent's suspension from the practice of law in Florida for 1 year, our August 28, 2017, final order of discipline suspended the respondent from practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS, effective August 1, 2017, the date of our immediate suspension order. In response to the respondent's unopposed motion for modification, we subsequently made the respondent's suspension effective as of June 5, 2017.

The respondent now asks to be reinstated to practice before the Board of Immigration Appeals, the Immigration Courts and the DHS, and presents evidence that he is again authorized to practice law in Florida. The respondent now meets the definition of attorney as set forth in 8 C.F.R. § 1001.1(f) and has complied with the reinstatement requirements set forth in 8 C.F.R. § 1003.107. Further, the Acting Disciplinary Counsel for EOIR does not oppose his reinstatement. We therefore grant the respondent's motion for reinstatement and reinstate the respondent to practice before the Board of Immigration Appeals, the Immigration Courts and the DHS, effective immediately.

**ORDER:** The respondent is reinstated to practice before the Board of Immigration Appeals, the Immigration Courts, and the DHS, effective immediately upon the issuance of this order.

FURTHER ORDER: Because the respondent has been reinstated, public notices regarding the respondent's suspension should reflect this reinstatement.

FURTHER ORDER: If the respondent wishes to represent a party before the Immigration Courts, the Board of Immigration Appeals, or the DHS, he must file a Notice of Appearance (Form EOIR-28, Form EOIR-27, or Form G-28) even in cases in which he was counsel prior to his suspension.

A handwritten signature in black ink, appearing to read "C. J. ...", is written above a horizontal line.

FOR THE BOARD